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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO DIVISION**

EFREN LINARES, individually, and on behalf of all others similarly situated, and on behalf of the State of California and aggrieved employees pursuant to the Private Attorneys General Act,

**Plaintiff,**

VS.

ABM INDUSTRY GROUPS, LLC,  
FLOWERS BAKING CO. OF MODESTO,  
LLC, and DOES 1 through 50, inclusive;

## Defendants.

Case No. 1:22-cv-00816-TLN-CKD

# **JOINT STIPULATION AND ORDER TO SET DISCOVERY CUT-OFF, EXPERT WITNESS DISCLOSURES, AND DISPOSITIVE MOTION DEADLINES**

*Before the Honorable Troy L. Nunley and Carolyn K. Delaney*

Complaint filed: July 1, 2022

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13 AND FLOWERS BAKING CO.  
OF MODESTO, LLC

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## **STIPULATION**

In response to this Court’s October 14, 2025 minute order (ECF No. 59), Plaintiff EFREN LINARES and Defendants ABM INDUSTRY GROUPS, LLC and FLOWERS BAKING CO. OF MODESTO, LLC (together, “Defendants”) (Plaintiff and Defendants collectively referred to as the “Parties”), through their respective attorneys of record, hereby stipulate and agree as follows:

WHEREAS, Plaintiff filed his Motion for Class Certification on December 16, 2024 (ECF No. 44);

WHEREAS, the Court denied Plaintiff's Motion for Class Certification on September 29, 2025 (ECF No. 57);

WHEREAS, the Parties submitted a Joint Status Report on October 10, 2025, wherein Plaintiff indicated an intention to move forward with his individual and Private Attorneys General Act claim (ECF No. 58); and

WHEREAS, the Court issued a minute order on October 14, 2025 instructing the Parties to submit a stipulation to set proposed deadlines for discovery cut-off, expert witness disclosure, and dispositive motions (ECF No. 59)

NOW THEREFORE, the Parties STIPULATE AND PROPOSE THE FOLLOWING:

That the deadline to complete all non-expert (i.e., fact discovery) be April 30, 2026;

That the deadline for the parties to exchange expert witness disclosures pursuant to FRCP 26(a)(2) be June 30, 2026; and

That the deadline for the parties to *file* dispositive motions be August 31, 2026.

#### **IT IS SO STIPULATED.**

DATED: October 28, 2025

By: /s/ Cody A. Bolce  
Stan S. Mallison  
Hector R. Martinez  
Cody A. Bolce  
Attorneys for Plaintiff

DATED: October 28, 2025

By: /s/ Paul A. Smith  
Alexander Chemers  
Paul M. Smith  
Attorneys for Defendants

MALLISON & MARTINEZ  
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OAKLAND, CALIFORNIA 94612-3547

**ORDER**

1       The Court, having reviewed the foregoing stipulation, and good cause appearing, hereby  
2 **ORDERS** as follows:

- 3       1.      The Parties' stipulation is GRANTED; and  
4       2.      The deadlines for fact discovery, expert disclosures, and dispositive motions are set as  
5                  follows:

6                  Deadline to complete non-expert discovery: April 30, 2026

7                  Deadline to exchange expert witness disclosures: June 30, 2026

8                  Deadline to file dispositive motions: August 31, 2026

9  
10 **IT IS SO ORDERED.**

11 Dated: October 28, 2025



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Troy L. Nunley  
Chief United States District Judge